

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

BRICE YINGLING, et al.,

Plaintiffs,

v.

EBAY, INC.,

Defendant.

Case No.: C-09-01733 JW (PVT)

**ORDER GRANTING PLAINTIFFS'  
MOTION TO SHORTEN TIME**

**[Docket No. 78]**

Plaintiffs Brice Yingling doing business as Alamo Autosports and Andy Scott move to shorten time on their second motion to compel. (collectively "plaintiffs"). Plaintiffs move to have their motion heard on March 2, 2010 at 10AM.

In support of their motion to shorten time, plaintiffs state that the parties have reached an impasse on certain discovery issues, the discovery cut-off is February 22, 2010 and plaintiffs' motion for class certification must be filed in or around March 2010. Additionally, defendant eBay, Inc. has stipulated to the March 2, 2010 hearing date.

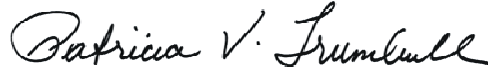
Civil L.R. 6-3 requires the moving party to "identif[y] the substantial harm or prejudice that would occur if the Court did not change the time."

Having reviewed the papers and considered the arguments of counsel, plaintiffs' motion

1 is granted.<sup>1</sup> The hearing shall be held on March 2, 2010 at 10AM in Courtroom 5. Defendant  
2 eBay shall file its opposition no later than February 23, 2010 and plaintiffs shall file their reply,  
3 if any, no later than February 24, 2010.<sup>2</sup>

4 IT IS SO ORDERED.

5 Dated: February 12, 2010

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7 PATRICIA V. TRUMBULL  
8 United States Magistrate Judge  
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27 <sup>1</sup> The holding of this court is limited to the particular facts and circumstances underlying  
28 the present motion.

<sup>2</sup> The parties have agreed to the briefing schedule set forth above.

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